

1 ALEXANDER B. CVITAN (SBN 81746),  
2 J. DAVID SACKMAN (SBN 106703), and  
3 MARSHA M. HAMASAKI (SBN 102720), Members of  
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9 Attorneys for Plaintiff

10 UNITED STATES DISTRICT COURT  
11 CENTRAL DISTRICT OF CALIFORNIA

12 CONSTRUCTION LABORERS TRUST  
13 FUNDS FOR SOUTHERN CALIFORNIA  
14 ADMINISTRATIVE COMPANY, a  
15 Delaware limited liability company,

16 Plaintiff,

17 vs.

18 STEVEN ARNOLD GREENE, an  
19 individual doing business as STEVE  
20 GREENE CONSTRUCTION,

21 Defendant.

Case No. CV12-08428 R (AGR<sub>x</sub>)  
JUDGMENT BY STIPULATION

22 **JUDGMENT**

23 PURSUANT TO THE STIPULATION FOR JUDGMENT BY THE  
24 PARTIES, AND GOOD CAUSE APPEARING, the Stipulation is approved.

25  
26 THEREFORE, IT IS ORDERED that JUDGMENT be entered in favor of  
27 Plaintiff, CONSTRUCTION LABORERS TRUST FUNDS FOR SOUTHERN  
28 CALIFORNIA ADMINISTRATIVE COMPANY, a Delaware limited liability

1 company (Trust Funds), against Defendant, STEVEN ARNOLD GREENE, an  
2 individual doing business as STEVE GREENE CONSTRUCTION (Employer), as  
3 follows:

4  
5 1. Pursuant to the Employee Retirement Income Security Act (ERISA) §  
6 502(g)(2), 29 U.S.C. § 1132(g)(2), judgment is entered in favor of the Trust Funds,  
7 and against Employer, for the total sum of **\$142,846.71**, composed as follows:

- 8  
9 (1) Delinquent contributions of \$96,591.84 for the period through  
10 June 2012;  
11 (2) Interest of \$7,793.09;  
12 (3) Liquidated damages of \$29,157.24;  
13 (4) Audit fees of \$2,560.00; and  
14 (5) Attorney fees of \$6,322.04 (calculated by Local Rule 55-3) and  
15 costs of \$422.50.  
16

17 2. The Judgment for Delinquent Contributions, above, in the amount of  
18 \$96,591.84, applies to both the First Claim for Delinquent Contributions, under  
19 ERISA § 502(g)(2)(A), 29 U.S.C. § 1132(g)(2)(A), and the claim for It is  
20 understood Judgment shall also be entered, on the Second Claim for Breach of  
21 Fiduciary Duties, under ERISA §§ 409(a) and 502(a)(2), 29 U.S.C. §§ 1109(a) and  
22 1132(a)(2). This is not an additional amount, but two legal grounds for the same  
23 damages, so that the total judgment entered remains \$142,846.71.  
24

25 IT IS FURTHER ORDERED THAT there shall be a stay of enforcement of  
26 this Judgment, for a period of one year after entry, except as follows:

- 27 a. The Trust Funds may record a judgment lien with the Secretary of State,  
28 abstracts of judgment with any county, register the judgment in other

jurisdictions, and similar actions to establish and preserve their priority as to other creditors.

- b. The Trust Funds may not take actions to foreclose on or take possession of, any property, except that, if another creditor does so, they may take all actions necessary to preserve and collect their claim on such property.
- c. The Trust Funds may pursue mechanic liens, stop payment notices, bond claims, claims against general contractors, and similar remedies. Any amounts collected by these means shall be credited against this Judgment.
- d. The Trust Funds may report this Judgment to the Contractors State License Board, and other government authorities.

SO ORDERED:

Date: April 8, 2013



HON. MANUEL REAL  
U.S. District Court Judge